

1 IN THE UNITED STATES BANKRUPTCY COURT FOR
2 THE DISTRICT OF PUERTO RICO

3 IN THE MATTER OF:

4 JUAN C MONTANEZ BERNARDI

5 XXX-XX-6999

CASE NO. 06-02193 BKT

Chapter 7

FILED & ENTERED ON 12/06/2006

Debtor(s)

9 DISCHARGE OF DEBTOR

10 It appearing that the debtor is entitled to a discharge, **IT IS ORDERED:** The
11 debtor is granted a discharge under section 727 of title 11, United States Code,
12 (the Bankruptcy Code).

13 San Juan, Puerto Rico, this 06 day of December, 2006.

15 BY THE COURT

17 
18 BRIAN K. TESTIER
19 U.S. Bankruptcy Judge

20 cc: all creditors

22 SEE THE BACK OF THIS ORDER FOR IMPORTANT INFORMATION.

1 **EXPLANATION OF BANKRUPTCY DISCHARGE IN A CHAPTER 7 CASE**

2 This court order grants a discharge to the person named as the debtor. It is
3 not a dismissal of the case and it does not determine how much money, if any, the
4 trustee will pay to creditors.

5 Collection of Discharged Debts Prohibited

6 The discharge prohibits any attempt to collect from the debtor a debt that
7 has been discharged. For example, a creditor is not permitted to contact a
8 debtor by mail, phone, or otherwise, to file or continue a lawsuit, to attach
9 wages or other property, or to take any other action to collect a discharged debt
from the debtor. [In a case involving community property:] [There are also
special rules that protect certain community property owned by the debtor's
spouse, even if that spouse did not file a bankruptcy case.] A creditor who
violates this order can be required to pay damages and attorney's fees to the
debtor.

10 However, a creditor may have the right to enforce a valid lien, such as a
11 mortgage or security interest, against the debtor's property after the
12 bankruptcy, if that lien was not avoided or eliminated in the bankruptcy case.
Also, a debtor may voluntarily pay any debt that has been discharged.

13 Debts That are Discharged

14 The chapter 7 discharge order eliminates a debtor's legal obligation to pay
15 a debt that is discharged. Most, but not all, types of debts are discharged if
16 the debt existed on the date the bankruptcy case was filed. (If this case was
begun under a different chapter of the Bankruptcy Code and converted to chapter
7, the discharge applies to debts owed when the bankruptcy case was converted.)

17 Debts that are Not Discharged

18 Some of the common types of debts which are not discharged in a chapter 7
bankruptcy case are:

- 19 a. Debts for most taxes;
- 20 b. Debts that are in the nature of alimony, maintenance or support;
- 21 c. Debts for most student loans;
- 22 d. Debts for most fines, penalties, forfeitures, or criminal
restitution obligations;
- 23 e. Debts for personal injuries or death caused by the debtor's
operation of a motor vehicle while intoxicated;
- 24 f. Some debts which were not properly listed by the debtor;
- 25 g. Debts that the bankruptcy court specifically has decided or will
decide in this bankruptcy case are not discharged;
- 26 h. Debts for which the debtor has given up the discharge protections by
signing a reaffirmation agreement in compliance with the Bankruptcy
Code requirements for reaffirmation of debts.

27 This information is only a general summary of the bankruptcy discharge.
28 There are exceptions to these general rules. Because the law is complicated,
29 you may want to consult an attorney to determine the exact effect of the
discharge in this case.

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